

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARVIN BROWN, as Personal
Representative of the Estate of
MIRANDA HENRY,

Plaintiff,

Case No. 12-14190

v.

DANA HATCH and STARR
COMMONWEALTH,

Hon. Patrick J. Duggan

Defendants.

JUDGMENT

On September 20, 2012, Plaintiff Marvin Brown as the personal representative of the estate of his natural daughter Miranda Henry, brought this action on behalf of his deceased daughter against the foster parent, Defendant Dana Hatch, as well as the child placement agency, Defendant Starr Commonwealth (collectively, “Defendants”), alleging violations of Henry’s substantive due process rights pursuant to 42 U.S.C. § 1983 as well as violations of Michigan statutory and common law. (ECF No. 1.) On August 20, 2013, Defendant Hatch filed a Motion for Judgment on the Pleadings pursuant to Federal Rule of Civil Procedure 12(c). (ECF No. 35.) Starr Commonwealth filed a Rule 12(b)(6) motion on August 28, 2013. (ECF No. 38.) In an Opinion and Order entered on

this date, the Court dismissed Plaintiff's federal § 1983 claim with prejudice for failure to state a claim upon which relief may be granted. The Court declined to exercise supplemental jurisdiction over the four remaining state law claims and dismissed those counts without prejudice.

Accordingly,

IT IS ORDERED, ADJUDGED, AND DECREED that judgment is entered in favor of Defendants Hatch and Starr Commonwealth on Plaintiff's § 1983 claim and that Count III is therefore **DISMISSED WITH PREJUDICE**;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the remaining state law claims (Counts I-II, IV-V) are **DISMISSED WITHOUT PREJUDICE**.

Dated: October 30, 2013

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copies to:

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